

COURT MINUTES OF JURY TRIAL

CRAFTON MOORE,

Plaintiff,

v.

Case No. 18-CV-539

STATE FARM FIRE AND CASUALTY
COMPANY,

Defendant.

Hon. Nancy Joseph, presiding.

Deputy Clerk: Amanda Chasteen

Date(s) of Trial: November 15, 2021

Court Reporter: Susan Armbruster

Appearances: Plaintiff: Nathaniel Cade, Jr.

Defendant: Mark Malloy

<u>Date</u>	<u>Time Called</u>	<u>A.M. Break</u>	<u>Lunch Break</u>	<u>P.M. Break</u>	<u>Time Finished</u>	<u>Court Reporter</u>
11/15/2021	8:49 AM	-	11:05 AM – 12:07 PM	1:35 PM – 2:17 PM	5:05 PM	S. Armbruster
11/16/2021	8:45 AM	10:25 AM – 10:43 AM	12:05 PM – 1:04 PM	2:31 PM – 2:47 PM	6:22 PM	S. Armbruster
11/17/2021	8:27 AM	9:05 AM – 9:36 AM	-	-	2:17 PM	S. Armbruster

Monday, November 15, 2021

8:50 AM Court in session. Case called. Appearances. The court takes up housekeeping matters outside the presence of the jury. Discussion as to plaintiff's newly filed Motion to Strike (Docket No. 91). The court will take motion under advisement. Discussion as to exhibits.

9:25 AM Jury panel sworn. Voir dire begins.

10:35 AM Jury selected. Jury of eight includes juror numbers 3,5,6,7,8,11,12, and 13. Jury sworn. The court gives preliminary instructions to the jury.

10:53 AM Jury excused for lunch. Court takes up housekeeping matters with counsel. Further discussion as to trial exhibits.

12:07 PM Court in session. Appearances. The court addresses housekeeping matters. The court **denies** plaintiff's Motion to Strike (Docket No. 91).

12:13 PM Jury enters. Defendant gives opening statements.

12:29 PM Plaintiff gives opening statements.

12:44 PM Defendant calls **Michael Schwade** to the witness stand. Direct. Counsel offers **Exhibit 1041**. No objections. Exhibit received.

1:17 PM Cross-examination of witness.

1:29 PM Defendant calls **William Code** to the witness stand. Direct.

1:33 PM Cross-examination of witness.

1:34 PM Re-direct of witness.

1:35 PM Court in recess

2:17 PM Court in session.
2:18 PM Defendant calls Mike Quick as a witness via prerecorded video testimony.
4:26 PM Defendant calls Lillian Grandy as a witness via prerecorded video testimony.
4:51 PM Jury dismissed for the day.
4:52 PM The court discusses housekeeping matters with counsel.
5:05 PM Court in recess.

Tuesday, November 16, 2021

8:45 AM Court in session. Jury entered. Court called to order. Appearances.
8:46 AM Defense calls as adverse witness Crafton Moore to the witness stand.
8:51 AM Counsel offers **Exhibit 1042**. Objection. Overruled. Admitted. Counsel offers **Exhibit 1020, 1021, 1022, 1025, 1026, 1029, 1032**. No objections. Received.
10:21 AM Jury dismissed. Court takes up matters with counsel.
10:25 AM Court in recess.
10:43 AM Court in session. Court discusses housekeeping matters with counsel.
10:49 AM Jury enters.
10:52 AM Counsel for plaintiff questions witness Crafton Moore. Counsel offers **Exhibits 4, 5, 6, 13, 20, and 21**. No objections. Received.
12:05 PM Court in recess.
1:04 PM Court in session. Plaintiff offers **Exhibit 17**. No objections. Received.
1:06 PM Redirect of adverse witness Crafton Moore. Offers **Exhibit 1043**. No objections. Received.
1:17 PM Defendant calls Derek Starr to the witness stand. Direct. During direct counsel offers **Exhibits 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, and 1018**. No objections. Received.
1:42 PM Cross-examination of witness.
1:56 PM Plaintiff calls Celia Moore to the witness stand.
2:06 PM Cross-examination of witness.
2:08 PM Re-direct of witness.
2:10 PM Plaintiff calls Alando Hurd to the witness stand.
2:23 PM Cross-examination of witness.
2:29 PM Re-direct of witness.
2:31 PM Jury excused.
2:31 PM Court discusses housekeeping matters with counsel.
2:47 PM Court in session.
2:48 PM Defendant calls John Perreault to the witness stand. During direct counsel offers **Exhibit 1033**. Objection overruled. Received. Counsel offers **Exhibit 1038**. Objection overruled. Received. Offers **Exhibit 1036**. No objection. Received.
4:04 PM Cross-examination of witness. **Exhibit 9** offered. No objections. Received.
5:12 PM Jury excused for the evening.
5:13 PM Housekeeping matters with counsel.
5:15 PM Court in recess.
5:31 PM Court in session. The court takes up housekeeping matters with counsel.
6:22 PM Court in recess.

Wednesday, November 17, 2021

8:47 AM Court in session. Appearances. The court discusses housekeeping matters with counsel.
9:01 AM Counsel for defendant moves for directed verdict. Arguments. The court denies oral motion for directed verdict.
9:05 AM Court in recess.

9:36 AM Court in session. Defendant moves for admission of **Exhibits 1001 to 1006**. No objections. Received. Plaintiff moves to enter **Exhibits 22, 23, 24**. No objections. Received.

9:40 AM Jury enters. Court called to order. Appearances.

9:41 AM Defense rests their case.

9:42 AM Plaintiff rests their case.

9:44 AM The court begins jury instructions.

10:01 AM Defendant presents closing arguments.

10:34 AM Plaintiff presents closing arguments.

11:10 AM Rebuttal from defendant.

11:35 PM Court gives final jury instructions and special verdict form.

12:01 PM Jury excused to begin deliberations.

12:38 PM Court on the record to address questions from the jury. Exhibit 1029 sent to the jury.

12:42 PM Court in recess.

1:21 PM Court on the record to address questions from the jury. Exhibit 1025 sent to the jury.

1:24 PM Court in recess.

2:13 PM Court in session. Special verdict form read into the record. Verdict for plaintiff. Jury polled.

2:17 PM Court adjourned.